

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2965 OF 2000
IN
SUIT NO.4112 OF 2000

Jayvanti M. Chalkar
(after marriage Smt.Seema C.Mhatre) Plaintiff
V/s.
Smt.Sudha K. Chalkar & Ors. Defendants

Mr.A.G. Damle for the Plaintiff.
None for the Defendant.

CORAM : S.J. VAZIFDAR, J.
DATED : 24TH NOVEMBER, 2005.

P.C. :

1. In this Notice of Motion, an ad-interim order dated 13th October, 2000 was passed. That order was confirmed in the Notice of Motion by an order dated 29.1.2002.

2. The Defendants took out Notice of Motion No.3533 of 2003 to set-aside the order dated 29.1.2002 on the ground that they have not been served. That Notice of Motion is made absolute on 25th October, 2005. By that order, it was clarified that though Notice of Motion No.2965 of 2000 would be heard, the interim orders therein would continue to operate.

3. Last week an adjournment was sought on behalf of the Defendants. The same was granted. Today when the matter is called out, the Defendants are absent.

4. However, no affidavit in reply has been filed.

5. For the reasons stated in the order dated 13th October, 2000, the Notice of Motion is made absolute in terms of prayer (B). The Defendants shall pay costs of this Notice of Motion fixed at Rs.2500/- to the Plaintiff within four weeks from today.

6. The Notice of Motion is accordingly disposed of.